IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.49482 -M of 2006

DATE OF DECISION: OCTOBER 17, 2006

Anil Punia and another

...PETITIONER

VERSUS

State of Haryana

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. Ashok Khubbar, Advocate,
for the petitioners.
Mr.Partap Singh, Sr.DAG, Haryana.
Mr.Sandeep Bhardwaj, Advocate,
for the complainant.

...

The petitioners apprehending their arrest in a non-bailable offence in case FIR No.410 dated 28.7.2006 registered under Sections 324/34/326 IPC at Police Station City Yamunanagar, have filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail.

I have heard the counsel for the parties and gone through the contents of the FIR.

As far as petitioner No.2 Sanju alias Sanjeev is concerned, injury No.3 on the person of the complainant has been declared as grievous and the same has been attributed to petitioner No.2. In terms of the interim order dated August 22, 2006, the said petitioner has also not joined the investigation. Keeping in view the nature of allegations, I am not inclined to confirm the interim anticipatory bail order passed in favour of petitioner No.2. Hence, this petition is dismissed qua petitioner No.2.

As far as petitioner No.1 is concerned, who is alleged to have caused simple injury, he has joined the investigation in terms of the aforesaid interim order. This fact has not been disputed by the State counsel.

In view of the above, the interim order dated August 22, 2006 is made absolute qua petitioner No.1-Anil Punia on the same terms and conditions.

This bail order shall remain in operation qua petitioner No.1 till the investigation culminates into filing of challan under Section 173 Cr.P.C. except for material change in the circumstances. Thereafter, petitioner No.1 shall be entitled to the grant of regular bail by the trial Court and the same shall further continue till conclusion of the trial on the conditions to be imposed by the court of competent jurisdiction.

Disposed of accordingly.

October 17, 2006 (SATISH KUMAR MITTAL)
vkg JUDGE